



ZUCKERMAN SPAEDER LLP

919 MARKET STREET SUITE 990 PO BOX 1028
WILMINGTON, DE 19899-1028
302.427.6400 302.427.8242 fax www.zuckerman.com

December 14, 2007

The Honorable Sue L. Robinson
J. Caleb Boggs Federal Building
844 N. King Street
Room 6124
Lockbox 31
Wilmington, DE 19801

Re: G&G, LLC v. James Hyde, et al., Civ. No. 07-440-SLR

Your Honor:

In accordance with your Order for Scheduling Conference dated November 20, 2007, and Federal Rule of Civil Procedure 26(f), the parties in the above-captioned matter have conferred regarding a discovery plan in advance of the Scheduling Conference set for Tuesday December 18, 2007 at 8:30 a.m. Under cover of this letter I am transmitting to you a proposed form of order incorporating the agreement of the parties with respect to the discovery plan.

If you have any questions or further requirements, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive ink that appears to read "Virginia Guldin".
Virginia Whitehill Guldin

Enclosure

cc: Lawrence Block, Esquire (w/Enclosure)
James L. Hyde (w/Enclosure)
Verdi White, III (w/Enclosure)
Doyle Judd (w/Enclosure)
Craig Cox (w/Enclosure)
Tim Weiland (w/Enclosure)
Michael A. Weidinger, Esquire (w/Enclosure)
Michael L. Scheier (w/Enclosure)

1606743.1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

G&G, LLC	:	
	:	
Plaintiff,	:	
	:	Case No. 07-440 (SLR)
	:	
v.	:	
	:	
JAMES HYDE, et al.,	:	
	:	
Defendants.	:	
	:	

ORDER

At Wilmington this _____ day of December 2007, the parties having satisfied their obligations under Fed. R. Civ. P. 26(f), and the court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and D. Del. LR 16.2(a) and (b).

IT IS ORDERED that:

1. **Pre-Discovery Disclosures.** The parties will exchange by December 17, 2007 the information required by Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2.
2. **Discovery.**
 - (a) All fact discovery shall be commenced in time to be completed by June 23, 2008.
 - (b) Each deposition is limited to a maximum of 8 hours unless extended by agreement of parties.

(c) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by July 14, 2008. Rebuttal expert reports due by August 4, 2008.

(d) Expert discovery shall be concluded by August 22, 2008.

(e) **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to **two (2)** Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. **Settlement Conference.** Pursuant to 28 U.S.C. §636, this matter is referred to a Magistrate Judge for the purposes of exploring ADR.

4. **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before September 22, 2008. Briefing shall be pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than **ten (10)** days from the above date without leave of the court.

5. **Applications by Motion.** Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. **Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1.**

6. **Motions in Limine.** All motions in limine shall be filed on or before two weeks before pretrial conference. All responses to said motions shall be filed on or before one week before pretrial conference.

7. **Pretrial Conference.** A pretrial conference will be held on _____ at _____ m. in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

8. **Trial.** This matter is scheduled for a day/week bench/jury trial commencing on _____ in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

Honorable Sue L. Robinson
United States District Judge